

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Ingrid Del Monte

CASE NO. 10-02123 SBA

Plaintiff(s),

v.
Metropolitan Life Insurance Company,

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- Non-binding Arbitration (ADR L.R. 4)
- Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

- Private ADR (please identify process and provider) Private non-binding mediation
before mutually agreeable neutral through JAMS.

The parties agree to hold the ADR session by:

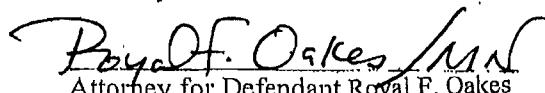
the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)

- other requested deadline March 11, 2011

Dated: Aug. 24, 2010


Attorney for Plaintiff Dean C. Burnick

Dated: Aug. 24, 2010


Attorney for Defendant Royal F. Oakes

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

PROPOSED ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session

90 days from the date of this order.

Other 3/11/11

IT IS SO ORDERED.

Dated: 9/8/10



UNITED STATES MAGISTRATE JUDGE

INGRID DEL MONTE v METROPOLITAN LIFE INSURANCE COMPANY, ET AL.
USDC – Northern District CASE NO.: C 10-02123 SBA

PROOF OF SERVICE

1 I, the undersigned, hereby declare:

2 I am employed in the County of Contra Costa, State of California, in the office of a
 3 member of the bar of this court, at whose direction the following service was made. I am over
 4 the age of 18 and not a party to this legal action. My business address is: Greenan, Peffer,
 5 Sallander & Lally, 6111 Bollinger Canyon Road, Suite 500, San Ramon, California 94583.
 6

7 On the date given below, from the business address indicated above, I served a true and
 8 correct copy, by PACER Electronic Court Filing Service, of the following:

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

9 On the interested parties in this matter by enclosing said document(s) in a sealed envelope,
 10 addressed as follows:

11 James Christopher Castle 12 Michael A.S. Newman 13 Royal Forest Oakes 14 BARGER & WOLEN LLP 15 633 West 5 th Street, 47 th Floor Los Angeles, CA 90071	11 Attorneys for Defendant 12 Metropolitan Life Insurance Company 13 Tel: (213)680-2800 14 Fax: (213)614-7399 Email: mnewman@barwol.com Email: roakes@barwol.com
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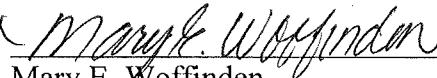
16 **[BY MAIL]** I am readily familiar with the business practice of Greenan, Peffer,
 17 Sallander & Lally for collection and processing of correspondence for mailing with the
 18 United States Postal Service, wherein the correspondence would be deposited with the
 19 United States Postal Service that same day, in the ordinary course of business. I served
 20 such envelope(s) in accordance with said business practice. [FRCP 5(b)(2)(C)].

21 **[BY OVERNIGHT DELIVERY]** I caused such envelope(s) to be deposited with or
 22 in a box or other facility regularly maintained by the express service carrier, or
 23 delivered to an authorized courier of said carrier, delivery fees paid or provided for, to
 24 be delivered the next business day. [FRCP 5(b)(2)(D)].

25 **[BY PERSONAL SERVICE]** I delivered or caused to be delivered each document by
 26 hand this date to the addressee(s) listed below. [FRCP 5(b)(2)(A) & (B)].

27 **[BY ELECTRONIC SERVICE]** I caused such document(s) to be transmitted
 28 electronically to the party (ies), at the electronic mailing address (es) indicated above.
 Said transmission was reported as complete and without error. [FRCP 5(b)(2)(E)].

I declare under penalty of perjury under the laws of the State of California that the
 foregoing is true and correct, and that this declaration was executed on **August 25, 2010** at San
 Ramon, California.


 27 Mary E. Woffinden
 28